

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

AUG 20 2001

JAMES W. MCCORMACK CLERK  
By: *[Signature]* DEPT. CLERK

UNITED STATES OF AMERICA,  
ex rel. MICHAEL TODD HIGHFILL,

and

MICHAEL TODD HIGHFILL

PLAINTIFFS

vs.

CIVIL ACTION NO.: 3:99CV00161 ~~SMR~~ SWW

KELLER AMBULANCE SERVICE, INC.;  
KELLER AMBULANCE SERVICE;  
MARK KELLER, Individually and  
d/b/a KELLER AMBULANCE SERVICE;  
CLARENCE WOODARD, Individually  
and d/b/a KELLER AMBULANCE SERVICE;  
WADE MURRAY, and RAY KEECH,

DEFENDANTS

**MOTION FOR TEMPORARY LIFTING OF STAY AND  
TO DISMISS DEFENDANT KELLER MEDICAL SERVICE, INC.**


On July 31, 2000, the court granted defendant's Motion to Stay Proceeding in this case and stayed discovery until conclusion of the related criminal case.

Defendant, Keller Medical Service, Inc.'s guilty plea in the related criminal case has been accepted by the court and said defendant and the plaintiff have reached a settlement in this civil action settling all allegations of the complaint. Defendant, Keller Medical Service, Inc. wishes to be dismissed from this action. Having settled its civil claims against Keller Medical Service, Inc., the plaintiff agrees that the court should dismiss said defendant.

Pursuant to 31 U.S.C. §3730(d), the relator claims an interest in the \$310,058.52 held by the medicaid carrier and in which the defendant Keller Medical Service, Inc. has agreed to relinquish any claim.

WHEREFORE, Keller Medical Service, Inc. requests of the Court a temporary lifting of the stay and entry of an order of dismissal of defendant Keller Medical Service, Inc.

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By   
Attorneys for Defendant  
Keller Medical Service, Inc.

CERTIFICATE OF SERVICE

I, D. Chris Gardner, hereby certify that service of the above and foregoing Motion to Stay Proceedings was made by mailing a copy of same to the following attorneys of record on this 20<sup>th</sup> day of August, 2001.

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D. Chris Gardner